

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1 and 2. These sheets, which include Figs. 1 and 2, replace the original sheets including those same Figures.

Figures 1 and 2 are labeled “Conventional Art.”

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Claim 4 is now present in this application. Claim 4 is independent.

Claims 1-3, 5 and 6 have been canceled, and claim 4 has been amended. Reconsideration of this application, as amended, is respectfully requested.

Examiner Interview

The courtesies extended to Applicants' representative during the telephone interview of October 7, 2010 are acknowledged with appreciation. During the interview, changes to claim 4 to overcome the rejections of record were discussed. The amendments to claim 4 are made in accordance with the outcome of the interview.

Priority under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Information Disclosure Citation

Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statement filed March 28, 2006, and for providing Applicants with an initialed copy of the PTO-SB08 form filed therewith.

Objection to the Drawings

The Examiner has objected to Figures 1 and 2. The Examiner states that Figures 1 and 2 should be labeled Prior Art.

In order to address this objection, Applicants respectfully submit that the suggestion in MPEP § 608.02(g) of the use of the phrase --Prior Art-- does not exclude the use of alternate phrases, for example, "Background Art" and "Conventional Art". These alternative phrases may be found in many U.S. Patents issued today. The intent of MPEP § 608.02(g) is to distinguish Applicant(s)' invention from that which is not Applicants' invention. If a drawing figure

illustrates only material which is known to be statutory prior art to the invention, then the use of the phrase --Prior Art-- in the drawing figure would be proper. However, if it is not clear whether such material is statutory prior art, then the use of the phrase --Prior Art-- in the drawing figures would not be proper, and a label such as "Background Art" or "Conventional Art" would be more appropriate.

Applicants submit that the proposed drawing corrections filed with this response which include the label "Conventional Art" meet the criteria of MPEP § 608.02(g) and are sufficient to distinguish Applicants' invention from that which is not Applicants' invention. Accordingly, reconsideration and withdrawal of this objection, and approval of the drawings, are respectfully requested.

Claim Objections

The Examiner has objected to claims 2 and 4 because of several informalities. The term 'wherein' is misspelled in claim 3, not claim 4. In order to overcome this objection, Applicants have canceled claims 2 and 3. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 2 and 4 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood.

In order to overcome this rejection, Applicants have canceled claim 2 and amended claim 4 to correct each of the deficiencies specifically pointed out by the Examiner. Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. § 102 and § 103

Claims 1, 3 and 5 stand rejected under 35 U.S.C. § 102 as being anticipated by US 4,687,987 (Kuchnir). Further, claim 2 stands rejected under 35 U.S.C. § 103 as being obvious over Kuchnir. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claims 1-3, 5 and 6 have been cancelled, thus rendering this rejection under 35 U.S.C. § 103 moot. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Allowable Subject Matter

The Examiner states that claim 4 would be allowable if amended to overcome the rejection under 35 U.S.C. § 112, 2nd Paragraph.

Applicants thanks the Examiner for the early indication of allowable subject matter in this application. Claim 4 has been amended as set forth above in order to overcome the rejection under 35 U.S.C. § 112, 2nd Paragraph.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

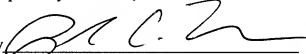
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Christopher J. McDonald, Registration No. 41,533, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

NOV 04 2010

Dated: _____

Respectfully submitted,

By 

Paul C. Lewis *cjm*

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Attachments: Replacement Drawings